

VILLAGE OF FONTANA ON GENEVA LAKE
WALWORTH COUNTY, WISCONSIN

REGULAR MEETING of the COMMUNITY DEVELOPMENT AUTHORITY

(OFFICIAL MINUTES)

Wednesday, July 05, 2006 @ 6:00 PM

Chairman Turner called the regular meeting of the CDA Board to order at 6:03 pm in the Village Hall, 175 Valley View Drive, Fontana, Wisconsin.

Commissioners present: Roll call vote: Chairman Turner, Fisk, Hibbard, Petersen, Wilson, Bliss, Chanson, & Fisk (arrived @ 6:10 pm).

Commissioners absent: None

Also present: Administrator Kelly Hayden, Director of Public Works Craig Workman, Treasurer Peg Pollitt, Carol Esswein & Brad Drefcinski (Planning and Design Institute), Brian Hinrichs & Jacob Krueger (Liesch Environmental Services) Bruce Jensen, Karen Morris, and Executive Director Joseph McHugh.

Visitors Heard

Chairman Turner asked if any visitors wished to be heard. No response was received.

Announcements

Chairman Turner reviewed the announcements listed on the agenda.

Approve Minutes

Commissioner Petersen/Commissioner Hibbard 2nd made a MOTION to approve the minutes for the regular CDA meeting held on June 7th, 2006, and the MOTION carried without negative vote.

Commissioner Fisk arrived @ 6:10 PM

Approval of Current Payables

Chairman Turner asked Treasurer Pollitt to review the list of current payables. Treasurer Pollitt introduced the list and noted that the partial payment to Kovilic represented the conclusion of the CDA's \$1.5 million commitment to the Reid Park Lift Station project. Chairman Turner asked for confirmation that the claims had been approved by staff, and the project engineers where relevant, and Executive Director McHugh explained that they had been. Commissioner Bliss asked if there were any claims included in the report that were attributable to the recent work on the proposal to relocate Third Avenue to the location of the existing Pro Shop. Executive Director McHugh explained that there was not. He informed the group that an invoice had been received from Ruekert Mielke for the work they had completed and it was currently under review. Commissioner Bliss asked that it not be presented to the CDA for future payment. Chairman Turner explained that the charges from Chicago Title were for work completed in conjunction with the Lakefront Survey Project.

Commissioner Bliss/Commissioner Chanson 2nd made a MOTION to approve the current payables, and the MOTION carried without a negative vote.

Pay Request #3 - \$154,000 (Gilbank Construction)

Because Treasurer Pollitt needed to leave the meeting early, Chairman Turner jumped forward to the Pay Request on the agenda. Executive Director McHugh presented Pay Request #3 for a total of \$154,000. He informed the group that the request had been reviewed and certified as accurate by

Workshop Architects and was being recommended for payment.

Commissioner Petersen/Commissioner Wilson 2nd made a MOTION to approve Pay Request #3 for the Beach House project, for a total amount of \$154,000, and the MOTION carried without a negative vote.

Finance Reports

Full Accounting Statement & Value Increment Calculations

Chairman Turner referenced the Income Statement included in the packets and asked for confirmation from Treasurer Pollitt that the numbers from the Income Statement and the Full Accounting Statement matched. Treasurer Pollitt stated that the Income Statement simply provided detailed breakdowns for the account totals which had been transferred to the Full Accounting Statement. Chairman Turner introduced the revised statement and asked why the document forecasted a deficit. Executive Director McHugh explained that the Value Increment Calculations had been adjusted to reflect the new numbers in from the Tax Assessor for January 1st, 2006. He presented a report showing a detailed breakdown of the Abbey Resort's increase in assessed value from 2005 to 2006. He reported that the total assessed value of the Abbey Resort Condominium Hotel, according to the recent data from the Tax Assessor, is \$41,835,700. He further reported that the new assessed value of the Abbey Ridge Condominiums, referred to as Abbey Phase 3, was reported to be \$16,184,700. Executive Director McHugh noted that there had been no increase in value for the Abbey Ridge Condominiums for 2006. Commissioner Bliss asked how there could be 0% appreciation during the past year. Administrator Hayden explained that during a normal assessment year, following a village-wide revaluation, the only way an assessment would be adjusted would be if the property owner had pulled a building permit and had made improvements to the property. Chairman Turner pointed out the large increase in assessed value of the Abbey Ridge Condominiums from 2004 to 2005 as a result of the revaluation. Executive Director McHugh confirmed that the condos had practically doubled from just over \$8 million in 2004. In conclusion, the overall value of the entire Abbey Resort property had increased by \$34,835,700. Chairman Turner quickly reviewed the remainder of the Increment Calculations. Executive Director McHugh quickly addressed the adjustments made to the projections for the Mill Street Development and the Quarry Development. Chairman Turner noted that the lack of substantial increment projections for the Quarry Development was quite conservative, since the developer was actually in the process of obtaining final approvals. Executive Director McHugh indicated that a projected increment would certainly be included once the future of the project was known.

Chairman Turner referred to the Full Accounting Statement and asked Treasurer Pollitt if the savings in interest, realized as a result of the most recent bonding, had been incorporated into the report. She explained that the numbers had been adjusted, but that she was waiting on revised numbers from Ehlers and Associates to show the full effect on the overall accounting for the TID. She further explained that the recent bonding would also affect the assumptions being made by Ehlers for future borrowings. Executive Director McHugh explained to the group the recent addition of account 57050 on the statement. He explained that it was an account for the reconstruction of Wild Duck Road to the Duck Pond Recreation Area, a project that was added in the last TID amendment, but had not yet been added to Ruckert Mielke's TID #1 Project Management Plan. Chairman Turner pointed out that the costs projected for Redevelopment Funding would not be spent unless they were being used to encourage development. As such, it is very conservative to project those types of expenses without showing corresponding increases in TIF increment. In further analysis of the numbers, Chairman Turner reminded the group that the costs projected for the Lakefront Redevelopment were still uncommitted funds. Trustee Pollitt asked why the projected deficit had increased from the last time the report was distributed. Executive Director McHugh explained that the report had been updated to reflect the recent tax assessments, as well as to incorporate updated accounting balances and cost estimates. Trustee Pollitt asked to get a copy of the revised report following the meeting.

Village Board Report

Chairman Turner informed the CDA that he had relayed their recommendation to the Village Board to move forward with the following projects: 1) Third Avenue group of projects, including the reconstruction of Third Avenue and the Boat Trailer Parking Lot, but not including the Pioneer Park Turnaround, 2) Fontana Boulevard Landscaping, and 3) the Fencing along the Beach and elsewhere in the center of the village. He stated that the Board had approved moving forward with the engineering on those projects and to take them to referendum in the fall. Administrator Hayden clarified that the Village Board would be certifying the actual referendum question at the July 10th meeting.

PRESENTATION #1 | Liesch Environmental Services (6:23 pm)

Duck Pond Phase I ESA & Geophysical Survey

Mr. Jacob Krueger of Liesch Environmental Services provided a brief overview of the work they had been contracted to do by the CDA and began a power-point presentation. He presented an aerial photo showing the boundaries of the project area. Several subsequent photographs showed the evolution of the property and the dump sites over time. Per their investigation of the site, portions of the dump site have debris to a depth of 20 feet. He highlighted the location of the former Fontana Maintenance Garage and noted that USD's (underground storage tanks) were closed by the Department of Commerce with some contamination still in place. He noted that their investigations revealed a PAL (Preventative Action Limit) exceedance for lead contamination in the ground water, which has been listed for the property. Mr. Hinrichs confirmed that the site had been closed by the Department of Commerce with the contamination in place. Mr. Krueger explained that because they had observed an area with wetland vegetation, they would recommend that a "wetland delineation" be performed prior to moving forward with any development of the property. Whether the wetland was classified as an "isolated wetland, or as a "waters of the U.S.", the village would need to dispose of any surface waste that is currently located on the property; such as, cans, drums, old gas cans, etc. They would further suggest that soil borings be taken, along with the collection of ground water and soil samples around the former dump site, to determine the level of residual contamination. Mr. Hinrichs also stated that the village would want to confirm the presence of natural gas issues, even though they consider it highly unlikely that anything would be found. Mr. Krueger stated that the Village would also want to do soil borings and ground water sampling within the area of the former sewage holding ponds to see if there were any elevated metal concentrations. If any were found, the Village could remove the soil, or apply a cap to that area. Mr. Hinrichs stated that the Village would most likely look at capping that area, which is the least expensive option and is also acceptable to the DNR. The cap is typically two feet of clean soil. In more extreme cases, a landfill liner material underneath the two feet of clean soil, may be required. Mr. Krueger suggested that the next step, if the soil sampling showed the area to be clean, would be to simply disc the soil up and spread it out. With respect to the PAL Exemption, originally filed by Strand, Mr. Krueger noted that there was no verification from the DNR. He suggested that the Village follow up on that issue. He further noted that there were underground storage tanks removed from the property that were not listed on the storage tank database. That should also be followed up on by the Village. Referring to future development, Mr. Hinrichs stated that the Village would need to have a contingency plan in place to deal with any debris that might be found while excavating for footings or foundations. He stated that a firm, similar to theirs, would need to be on-site to make sure that all materials were handled properly. Mr. Krueger noted that one permitting issue that is not directly related to the site, but that would need to be addressed before any development occurred, is the presence of the banded killifish (an endangered species) within the watershed. Showing historical aerial photos, Mr. Hinrichs explained that the dump site had been fairly small up until 1940. Sometime between 1940 and 1950 a significant amount of debris was added which "added another cell" to the dump site. Mr. Krueger presented an exhibit which showed the actual area that had been the subject of the recently completed Geophysical Survey. He proceeded to show several photos of the area as it is today. He

explained that the rise in elevation of 10 to 12 feet shown in several of the photographs is most likely composed entirely of debris. Liesch's estimate that there is closer to 20 feet of debris on the site stems from the theory that former ravines on the property were filled with debris as the dump evolved. Mr. Krueger provided the group with a brief technical overview of how the Geo-Physical Survey was actually completed. Basically the process measures the amount of metal in the soil using conductivity analysis. Per Mr. Hinrichs, native soil would not have any metals in it. He further stated that they utilized two different conductivity measuring techniques, which both confirmed each other. According to the survey, there was probably some filling that took place outside of the obviously mounded areas. Mr. Krueger explained that the high levels of metals shown for the areas down along Wild Duck Road were most likely the result of the Village's underground utilities causing false readings. Chairman Turner asked why the boundary of the geophysical survey was cut off at the property line and Mr. Hinrichs explained that they had only surveyed village-owned land. Overall, the site contains approximately eight (8) acres of former landfill. Commissioner Wilson asked if their measuring techniques were able to give them any insight into the depth or density of the fill. Mr. Hinrichs stated that all they had done was to confirm the aerial extent of the landfill. He did explain that there was another non-invasive technique, ground penetrating radar, which could be used to determine the depth of the material. However, it would be quite expensive. At this point, he suggested that the Village needed to make a decision to do something invasive, such as soil borings, if they still wished to move forward. Without physical investigation, there is no way to know if just capping the landfill, versus completely removing it, is a viable alternative. Commissioner Wilson asked if they had proceeded to a point where they could identify what types of uses would be permitted on top of a landfill. Mr. Hinrichs stated that recreational uses were probably the best, such as parks. Alternately, if the site were to be developed, a parking lot could be used to cap the landfill. He did maintain that actually building on top of the landfill itself would be difficult and would probably require the actual mining and removal of the material. Chairman Turner asked if a business, such as a boat-storage marine business, would have difficulty getting a mortgage on the property since it is on a landfill. Mr. Hinrichs explained that if the Village did its due diligence and went through with the investigation and found that there were no hazardous materials or ground water contamination, there would be no issue getting financing. Using the example of a boat-storage facility, Mr. Hinrichs explained that the site could simply be leveled off and capped using a "soft cap," which (as explained earlier) is just two feet of clean fill and possibly some type of barrier material, which could then be covered with gravel. He noted that the DNR tends to favor "hard caps" of concrete or asphalt, but he gave an example of a brownfield development in Richland Center where Liesch is using all "soft caps." Mr. Krueger explained that the soil borings would give the Village the information it needed to determine what type and size of cap would be required to develop the site. Chairman Turner asked the possibility of building a more substantial structure on top of a landfill. Mr. Hinrichs explained that a structural engineer would be unlikely to approve the soil as adequate for something such as a four story building. Mr. Hinrichs further stated that a structural engineer would need to do geotechnical analysis even if all that was intended was a structure with a floating slab. Commissioner Wilson asked what would be needed to be done with the slab that remains from the old Village Garage. Mr. Hinrichs explained that there were no fill materials in that location and, as such, nothing more needed to be done, other than following up on the paperwork for the UST's.

Mr. Hinrichs summarized the status of the project and stated that the next step for the Village would be to investigate available funding options for cleaning up the site. One of the hurdles that the Village needs to overcome is that the Village has historically owned the property. This is an issue because most brownfield grants specify that the causer of the contamination cannot receive the grant. Mr. Hinrichs feels that because the site is so old they will be successful in convincing the State and Federal granting agencies to make the village eligible for funds. As such, the first step Liesch recommends is that the Village set up a "Green Team" meeting with the DNR and work with them to approach agencies such as the EPA and request that the Village be granted eligibility. To get an idea of the amount of grant money the village would need to clean up the site, Chairman Turner

asked for an estimate of what it would take to get through the rest of the assessment process and then cap approximately eight (8) acres of former landfill. Mr. Hinrichs estimated that it would run somewhere between \$100k and \$200k, assuming they were to use a “soft cap.” He offered to come to the next meeting with a more solid number. Commissioner Fisk asked how high the number would go if the site required a “hard cap?” Mr. Hinrichs estimated that the cost would run upwards of several hundred thousand to develop the site as a mixed use of tennis courts, parking lots and green space. Chairman Turner asked if it would be possible to get grants, not only to clean the property up, but to redevelop the property. Mr. Hinrichs explained that Liesch would put together an architecture of grants in this type of situation. Several grants that come to mind include the DNR’s greenspace grant, as well as a site investigation grant that the department has. The Department of Commerce’s Brownfield Grant could be used to pay for the cap. The EPA revolving loan fund also has funds that the Village would want to consider. Setting up the “Green Team” meeting and working with the DNR and the Department of Commerce would be how the Village would put together the architecture of grants. Commissioner Wilson asked what Liesch would charge to write the grants. Mr. Hinrichs explained that the Village first needed to sit down with the “Green Team”, but gave a few estimates for grant writing services; an application for the EPA’s Revolving Loan Fund could be \$6k or \$7k just to write that one grant; a site assessment grant application to the DNR could run around \$1,500; a DNR greenspace grant application prepared at the same time might be only \$500. Commissioner Petersen asked how the Village could be so sure that the community, at the time they closed the site, didn’t cap it. Mr. Hinrichs stated that their on-site assessment revealed rubbish at grade and that it was highly unlikely that anything but enough soil to keep it from blowing around was deposited on site. Trustee Pollitt asked if the State could move in and require that the Village mine the site and completely remove all of the contaminated material if further investigation revealed more contamination than what is currently anticipated. Mr. Hinrichs answered that the Village would certainly be opening itself up to greater liability if it moved forward with more invasive investigation. To manage that risk, Mr. Hinrichs suggested that the Village have the funding in place before it did any further investigative work. Mr. Hinrichs explained that simply meeting with the “Green Team” would not open the Village up to any additional liability. Chairman Turner asked for an estimate to have Liesch coordinate the “Green Team” meeting. Mr. Hinrichs estimated that it would be less than \$1,000, for approximately 6 to 8 hours of work, to set up the meeting and to put together a presentation packet.

Commissioner Wilson/Commissioner Hibbard 2nd made a MOTION to authorize Liesch Environmental Services to coordinate a “Green Team” meeting with the DNR and the Department of Commerce, at a cost not to exceed \$1,000, and the MOTION carried without a negative vote.

Commissioners Wilson and Peterson were nominated by the group, along with Executive Director McHugh, to represent the Village at the “Green Team” meeting.

Brian Hinrichs and Jacob Krueger (Liesch Environment Services, Inc.) left the meeting @ 7:03 PM

PRESENTATION #2 | Planning & Design Institute (7:05 pm)

Village Hall Parking Lot

Executive Director McHugh reviewed the recent history of the Village Hall project. Following the June 7th CDA meeting, PDI met with representatives of the Park Commission on June 14th to finalize the landscaping details. The plan was then presented and recommended for approval at the June 21st Park Commission meeting. Chairman Turner asked if there had been any changes made to the basic design. Ms. Esswein explained that the Park Commission had requested the inclusion of a “Children’s Garden”, and had also asked that planting suggestions made by Roy Diblik be incorporated into the plan. Beyond that the design is as originally approved by the CDA.

Wild Duck Road Pedestrian Path

Executive Director McHugh introduced the revised plans for the Wild Duck Road Pedestrian Path. The plan was the subject of review by representatives of the Park Commission at the June 14th Programming Meeting, and was then formally approved by the Park Commission at their June 21st meeting. Of the two options presented, the Park Commission recommended Option #1, which calls for a pedestrian crossing at the intersection of Wild Duck Road and STH 67. Option #2, which incorporates a pedestrian bridge over the drainage swale, was recommended for future consideration when the Village reconstructs Wild Duck Road. Executive Director McHugh explained that the plan has been forwarded to Crispell Snyder to prepare the requisite engineering. He further explained that the Park Commission was recommending that the remainder of the site be seeded with “no mow” grass while they worked with Roy Diblik to finalize the plantings. Chairman Turner asked if the path was part of the overall STH 67 project and included under the village’s grant for bicycle and pedestrian improvements. Executive Director McHugh confirmed that it was not. Chairman Turner asked for an estimate of the cost for the project. Executive Director McHugh explained that the plan needed to be forwarded to Mann Brothers to get a cost estimate. He further explained that the original plan was to get the path installed in conjunction with Stage 1 of the STH 67 Highway project. DPW Workman informed the group that the pedestrian paths located in Stage 1 were to be installed within the next week. In an effort to expedite the process, Executive Director McHugh suggested that the CDA could approve the plan at this stage, with the understanding that the final Change Order to the DOT contract would need approval by the Village Board. Chairman Turner expressed concern with approving the plan without some type of cap on the cost. Executive Director McHugh explained that while the engineering was in progress, the Village had not yet received an estimate. Chairman Turner suggested that the path be installed if there was confirmation that the entire path from STH 67 to the Duck Pond Recreation Area would not exceed the \$148,000 originally budgeted by the CDA. Trustee Pollitt asked if alternate options had been considered, such as installing the path along the edge of the current road. Chairman Turner maintained that it would be difficult to accurately locate the path along the edge of the road, considering that it was scheduled to be reconstructed in the not too distant future, with possible changes in grade, elevation and alignment. Commissioner Bliss expressed concern that the installation of the pedestrian path, as presented, would not solve the problem faced by pedestrians and bicyclists trying to cross the intersection of Wild Duck Road and Dade Road. The current hump at the intersection makes it impossible for pedestrians and bicyclists to clearly see oncoming traffic. Chairman Turner agreed that the rest of the path needed to be considered as well.

Chairman Turner/Commissioner Petersen 2nd made a MOTION to proceed with the Pedestrian Path along Wild Duck Road, contingent on the cost estimates being within budget as discussed, and to authorize PDI to complete the preliminary design for the remainder of the path to the Duck Pond Recreation Area, and the MOTION carried without a negative vote.

Following the motion, Trustee Pollitt asked if there was some reason why the Pedestrian Path needed to be ten feet wide. Chairman Turner indicated that the path had to be ten feet wide along STH 67 in order to qualify for the grant money that was being used to fund the project. Ms. Esswein suggested that the path could narrow as it traveled west away from the highway. Executive Director McHugh expressed concern that narrowing the path may prevent eligibility for future grant funds as the system is expanded into the recreation area. In addition, the line item in the DOT contract is for a ten foot wide path. Commissioner Fisk asked how it would be possible to know the overall budget for the entire project. Commissioner Bliss suggested that Mann Brothers be asked to provide a cost estimate for the entire path.

State Highway 67 Tree Selection

Executive Director McHugh reviewed for the group the need for a substitute tree to replace ten of the trees specified in the STH 67 landscaping plan, south of the Fontana Boulevard intersection. As a result of the Geo-Foam being used in the project, the trees on the east side of the road have been

moved back into very wet soils. Ms. Esswein explained that the challenge is to keep the plan symmetrical, which requires a tree that will fair well in both the wet soils on the east side of the highway and the drier soils on the west side. Commissioner Wilson confirmed the desire to have symmetry. Executive Director McHugh suggested that the final decision be left to the Park Commission and the group agreed.

PDI ended the presentation portion of the meeting @ 7:25 pm.

TID #1 Infrastructure Projects

STH 67 Improvement Project

DPW Workman informed the group that the Village was receiving complaints from the Fire and Rescue and Police Department regarding the proposed 18 foot lane width on the highway. At 18 feet, the width is rather restrictive. In order to pass a car in that 18 foot section, both cars would need to be basically hugging the curb, per DPW Workman. The longest stretch of 18 foot wide lane in Stage 1 is approximately 150 feet long, directly in front of Village Hall. This section of the highway is already installed and is not seen as being a real problem. The real concern of Fire and Rescue is the proposed stretch of 18 foot wide lane in Stage 2 that is approximately 550 feet long. DPW Workman clarified that the 18 foot measurement is from face of curb to face of curb. In comparison, the pavement width on the existing Fontana Boulevard is 20 feet wide. DPW Workman informed the group that he had asked PDI, Crispell Snyder and the DOT to consider the impact of widening the lane by 2 feet. Crispell Snyder put together a conceptual design. The problem, as DPW Workman explained, is that the highway is bound on the east and west side by wetlands. As such, the only option is to reduce the width of the median. In response to a question from Chairman Turner, DPW Workman noted that the currently proposed median is 24 feet wide at its maximum width. DPW Workman referred the groups attention to the large exhibit posted at the back of the meeting room and identified the area under discussion. Ms. Esswein noted that narrowing the width of the median would also shorten it at the southern end. In addition, DPW workman noted that it would result in narrowing the turning lane to 11 feet, from 12 feet. Commissioner Bliss requested clarification regarding the existing median width in Fontana Boulevard. Mr. workman stated it was 20 feet wide. Ms. Esswein pointed out that all of the landscaping, including the information provided by Mr. Roy Diblik, were designed to be placed in a specifically sized planting area. They would have to confirm that all of the trees and landscaping would still fit. Mr. Drefcinski confirmed that the certain portions of the landscaping would have to be redesigned to accommodate the change. Chairman Turner stated that is felt like an “eleventh hour decision”, in a project that has been under design for over two years. Noting that the current design had been reviewed and approved by the DOT, Chairman Turner expressed concern that altering the design at this late date could cause unforeseen problems. The group discussed the issue at length, discussing the general routes of emergency equipment around and through the Village, the relatively small section of highway under debate, and the potential impacts of redesigning the project at this time.

Chairman Turner/Commissioner Chanson 2nd made a MOTION to make no changes at this time, and the MOTION carried without a negative vote.

While PDI was still present, Commissioner Bliss asked to move forward to the Third Avenue Projects – Engineering Status item on the agenda.

Third Avenue Projects – Engineering Status

Commissioner Bliss asked if PDI had ever considered abandoning a section of Bayview, and converting it to park space, as a way to solve the traffic congestion at the boat launch. Commissioner Bliss reasoned that if Bayview was converted to a one-way street, and then the section from the driveway of the Fontana Shores Condominiums down to Lake Street was vacated, turning it to park space, it would compensate for whatever park space is lost due to the proposed turnaround through the park. Chairman Turner asked the group if there was interest in having PDI prepare an exhibit illustrating the concept. Chairman Turner asked for a cost estimate from PDI to prepare an

exhibit. Ms. Esswein estimated that it wouldn't be more than a couple of hundred of dollars for a couple hours of work to prepare an exhibit, with no detailed design or landscaping.

Commissioner Bliss/Commissioner Chanson 2nd made a MOTION to authorize PDI to prepare an exhibit illustrating the proposed concept of vacating a portion of Bayview and converting it to park space, and the MOTION carried without a negative vote.

PDI was directed by the group to get the exhibit to Executive Director McHugh prior to the next meeting.

Highway 67 Improvement Project (Cont.)

DPW Workman informed the group that Stage 1 of the highway project was scheduled to be open to traffic by Friday, July 13, 2006. He further informed the group that the concrete work had been completed and that the brick pavers had recently been installed. DPW Workman alerted the group to the fact that some of the curbing at the intersection of STH 67 and Main Street had been pulled out immediately after installation due to a turning radius issue. He explained that the curbs had originally been designed and constructed at a 25 degree radius. The issue was first identified by Mr. Bob Stewart Jr., as he was unable to properly maneuver the intersection in one of his company's trucks. DPW Workman explained that over the last weekend, it was also noticed that boat trailers coming around the corner were forced to jump the curb in order to make the turn to the south from Main Street. Commissioner Bliss asked if there would be a change-order coming for the redesign and reinstallation of curbing. DPW Workman explained that the replacement of the curbs would be coming to the Village in a future change-order to the DOT contract. Commissioner Bliss asked if the engineers on the project should take any of the responsibility for the oversight in the design. DPW Workman noted that the engineers designed the intersection in conformance with DOT standards. In response to a question from Commissioner Bliss, Chairman Turner confirmed that the Village would be expected to pay for the change order, since the DOT's contribution to the project was capped. DPW Workman estimated that the charges would be approximately \$15,000. Executive Director McHugh suggested that Crispell Snyder be asked to give a written explanation of the issue; addressing any liability they should or should not accept for the costs, if it was in fact an oversight. DPW Workman noted that it was a complicated intersection, where the two roads originally came in out of alignment, and further noted that the engineers had worked very hard to try to line them up. In order to do so, they went with the minimum standard; a 25 degree radius. DPW Workman explained that the design was compared against standard turning radius templates. In closing, DPW Workman offered to get a formal response from Crispell Snyder addressing the issue and their level of responsibility, if any.

Main Lift Pump Station

DPW Workman informed the group that the project was in progress.

Reid Park Restroom and Pavilion

DPW Workman informed the group that the concrete radius of the foundation was formed and poured that day. The project was in progress.

Beach Improvement Project

Chairman Turner informed the group that he had recently toured the new Beach House and expressed his satisfaction with the project. He noted that he had received several comments from others regarding the height of the building and asked Ms. Esswein for her comments. She explained her understanding that the grade of the surrounding area would be raised when the public plaza was constructed. DPW Workman confirmed that the parking lot and the surrounding area would be reengineered to accommodate stormwater drainage, which would result in the elevation of the grade surrounding the Beach House. Executive Director McHugh reminded the group that the section of Lake Street at the curve has constant flooding issues. Commissioner Bliss felt that the orientation of the building was also an issue, and he questioned the advice and counsel the Village was receiving

architecturally. Mr. Bliss reiterated his belief that it was a mistake to move the building off the original footprint and increase the size of the building. Ms. Esswein suggested that future development of the site would lead to view corrections in the long term; opening up some of the view to the lake where the Lake Geneva Marine Building now stands. Commissioner Petersen suggested that people should consider the new improved view we now have as one looks down the lakefront, which was opened up due to the relocation of the building. General discussion followed regarding the tone and pattern of architecture being set by the various projects under construction. Bruce Jensen asked why the building couldn't just be lowered. He suggested that the glass was not necessary.

Beach House – Pay Request #3

This item was addressed earlier in the meeting.

Carolyn Esswein and Brad Drefcinski left the meeting.

TID #1 Development Projects

Mill Street Plaza – FairWyn, Ltd.

Executive Director McHugh provided a quick overview of the status of the project. He relayed information from Mr. Pollard that the town homes should be substantially complete by the end of the month. He further noted that the “Agreement to Undertake Development” was still in progress between Mr. Pollard’s attorney and the Village Attorney, Dale Thorpe.

Mill Street Plaza – FairWyn, Ltd. – Group Identification Sign for Development

Executive Director McHugh reminded the group that Mr. Pollard was still requesting a group identification sign for the Mill Street Plaza Development. Commissioner Petersen suggested that whatever is proposed should conform to the Village’s sign ordinance.

The Cliffs of Fontana – Planned Unit Development

Executive Director McHugh explained to the group that PAR Development was proceeding to the Plan Commission for review and approval of their PIP (Precise Implementation Plan) application at the July 31st meeting. He noted that the developer wished to begin grading the site yet this year. Commissioner Wilson asked if there had been any change in the number of units, and Executive Director McHugh stated that the number of units and the general layout conformed with what was approved by the Village in the GDP, or General Development Plan.

General Business

STH 67 Street Trees

This item was discussed during the presentation portion of the meeting.

Village Hall / Library Landscaping

This item was discussed during the presentation portion of the meeting.

Wild Duck Road Pedestrian Path

This item was discussed during the presentation portion of the meeting.

Third Avenue Projects – Engineering Status (Cont.)

Executive Director McHugh noted that the Plan Commission had recently voted in favor of the proposed turnaround in Pioneer Park. He confirmed that the Village Board had voted to move forward with the engineering and to take the project out to referendum this fall.

STH 67 Excess ROW

Executive Director McHugh informed the group that the appraisal values for the excess right-of-way parcels had been received from the Wisconsin Department of Transportation. The plan at this point

is to coordinate a meeting with the various property owners and negotiate an agreement for the reconstruction of the commercial parking area they share.

Walworth Pedestrian Connection – Cost Estimate

Executive Director McHugh introduced cost estimate information from Crispell Snyder for the proposed pedestrian path connection. He explained that Walworth also had the information and was reviewing it as well. He suggested that the Villages of Fontana and Walworth work together to apply for grant funding. Chairman Turner argued that the first course of action would be to decide if the Village preferred the idea of running the path through the woods at approximately \$257k, or running the path along the edge of the highway for an approximate cost of \$78k (Construction Cost estimates from Crispell Snyder Exhibit). Executive Director McHugh expressed his belief that the path further from the highway should be the preferred option and that grant monies should be pursued to make the project financially feasible. Chairman Turner asked Executive Director McHugh to get some quotes for the preparation of the grant applications. Executive Director McHugh briefly reviewed the various funding options available. Commissioner Petersen suggested the Village of Walworth make the application. Commissioner Wilson suggested that it would probably be more successful if the two communities prepared joint applications.

Chairman Turner/Commissioner Chanson 2nd made a MOTION to proceed with the project and to identify and pursue available funding options, and the MOTION carried without a negative vote.

Lakefront Survey Project (Ramaker & Associates, Inc.) - Update

Executive Director McHugh provided a general history of the project to the group. He indicated that the Village had recently received a completed survey from Ramaker, and that the survey had been forwarded to the engineering firm of Ruckert Mielke for review.

Lakefront RFP - Update

Executive Director McHugh stated that the RFP document had been revised by PDI, based on comments received at the June 7th CDA meeting. It was then forwarded to CDA Attorney Hank Gempeler for review as directed. Executive director reviewed his plan to finalize the RFP, based on Attorney Gempeler's comments, and to publish the RFP within the next several weeks. The deadline for submittals would be the end of August, such that any submittals could be reviewed at the regular CDA meeting in September. Commissioner Fisk asked what would happen if the Village did not receive any responses to the RFP. Executive Director McHugh relayed comments from Attorney Gempeler that simply offering to consider a "long-term" lease of the facility, versus actually offering to sell the property, may make it difficult to interest a developer in the project. Executive Director McHugh stated his opinion that simply going through the process and formally developing evaluation criteria for the future development of the site would be a useful exercise, regardless of whether or not anyone responded to the RFP.

Schedule Lakefront Workshop – September 30, 2006 @ 9:00 AM

Executive Director McHugh reviewed the proposed date and time for the Lakefront Workshop and noted that PDI had confirmed that they would be available on that date.

The CDA acted on this agenda item jointly with the next item on the agenda.

Schedule Duck Pond Workshop – October 21, 2006 @ 9:00 AM

Again, Executive Director McHugh reviewed the proposed date and time for the Duck Pond Workshop and noted that PDI had confirmed that they would be available on that date.

Chairman Turner/Commissioner Petersen 2nd made a MOTION to schedule the Lakefront Workshop and the Duck Pond Workshop for the recommended dates, and the MOTION carried without a negative vote.

Mill Street Park Entrance to Hildebrand Conservancy - Update

Executive Director McHugh informed the group that the few items left to complete in the Mill Street Park Entrance were in progress. He noted that the benches are still on backorder and that Prairie Tree Landscaping is still working to track down the specified Kentucky Coffee trees.

Mill House Park Structure - Update

Executive Director McHugh reviewed the recent history of the project. He noted that he had met with the Village's Building Inspector, Ron Nyman, and had been informed that "stamped plans" would be required for the construction of the deck, which would mean that an architect would need to be hired for the project. Mr. Nyman had also indicated that ADA access issues would need to be addressed due to the structures proposed use as a "public" viewing platform. Mr. Jan van den Kieboom (Workshop Architects) reviewed the concept plans from PDI and is preparing a quote. Cost estimates have also been requested from local architects.

Fontana Grade School – Wayfinding Signage

Executive Director McHugh presented the first Wayfinding Sign completed by Timberline Signs for the Fontana Grade School. Commissioner Petersen expressed satisfaction with the sign itself, but expressed concern with the amount of signage in the Village. Executive Director McHugh explained the Park Commission's suggestion that only one sign be placed at any one location, with the height of the sign to vary depending on how many items are listed on the sign. Commissioner Chanson expressed concern with the size of the lettering and asked how anyone would be able to read the sign as they drove by on the Highway. Executive Director McHugh reminded the group that the first sign was intended to be a sample, and that alterations to the size and design would be made based on how well the sign performed its purpose. Chairman Turner asked that the exact number and locations of the proposed wayfinding signs be determined before the project got too much further. Chairman Turner further asked that the specific destinations listed on each sign should be determined before the CDA funded the project.

Village Board Report

Chairman Turner stated that he had no report.

Lakefront & Harbor Report

Commissioner Chanson stated that he had no report.

Park Commission Report

State Highway 67 Street Signs - No Discussion

Executive Director Report

Executive Director McHugh noted that he had nothing additional to report.

Confirm Quorum for Upcoming Meetings

Next Regular Monthly Meeting

Chairman Turner informed the group that he would be unable to attend the next meeting if it were to remain as scheduled on August 2nd. After general discussion, it was decided to reschedule the next regular meeting of the Community Development Authority for Tuesday, August 01, 2006 at 6:00 pm.

Before adjourning, Commission Bliss asked why the Plan Commission was reviewing the Timber Wall at the Mill Street Plaza Project, when the agreement to cost-share the replacement of the wall had been reached between the CDA and developer. Executive Director McHugh explained that the Plan Commission was simply reviewing the wall as part of the CUP review process. When originally approved, the Plan Commission included a condition that the project be reviewed in a year's time. Chairman Turner asked that the item be placed on the agenda for the next CDA meeting.

Pending / Future Items

Hildebrand Conservancy Boundary Delineation Project – No Discussion

WDNR Urban Non-Point Source & Stormwater Grant Applications – No Discussion

Novak's Restaurant – Façade Improvements / Parking Reconfiguration – No Discussion

Adjournment

Commissioner Chanson/Commissioner Bliss 2nd made a MOTION to adjourn the meeting at 8:15 pm, and the MOTION carried without a negative vote.

Minutes prepared by: Joseph A. McHugh, Executive Director

APPROVED: 08.01.2006